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REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

Letter dated 13 November 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I am writing to you concerning the statement made by the representative of Croatia in the Third Committee on 9 November 1995, under agenda item 109 (see A/C.3/50/SR.22), in which he portrayed a distorted picture concerning the refugee situation.

The Federal Republic of Yugoslavia rejects as absolutely unfounded the charges contained in the above statement. In the interest of truth, and upon instructions of my Government, I would like to make the following comments.

The Croatian representative claims that by "Operation Storm ... the Republic of Croatia has succeeded in liberating most of its occupied territories" and it brought about "a positive result in allowing for the return of many displaced persons to their homes". This led to an "exodus from Croatia of some 30,000 members of ethnic Serb paramilitaries and 90,000 civilians who accompanied them". This allegation is in direct contravention with the report of the Secretary-General of 18 October 1995 (A/50/648). The report states that "The deliberate attacks launched in May and August with the aim of recovering Sectors West, North and South by force constituted further defiance" of Security Council resolution 981 (1995) and General Assembly resolution 49/43. The report further says that this military operation actually created a crisis, involving the flight of 200,000 ethnic Serbs, 95 per cent of the population of Sectors North and South into Bosnia and Herzegovina and the Federal Republic of Yugoslavia.

The Croatian representative further maintains that his Government supports the return of the Serbs "to their homes of origin", but this needs to be done in

"safety and dignity" and should be "worked out in appropriate bilateral agreements". However, the Secretary-General, in the said report, states that "United Nations High Commissioner for Human Rights, UNHCR and UNCRO, as well as a number of Member States and independent human rights organizations, have expressed their concerns over the fact that serious violations of human rights have taken place ...". The Secretary-General further states that these violations as well as some recently adopted executive and legislative measures, appear de facto to restrict the civil, political, economic and social rights of the Croatian Serb population and the refugees' right to return in contravention of international conventions.

In his statement, the Croatian representative underlines that since "the ethnic Serb population has fled, the area is effectively depopulated and no local civil or security structures exist over most of the territory. This has, unfortunately, led to a degree of lawlessness in the area". The Secretary-General refutes this claim, in the said report, by saying that "international observers, including members of the international press, have directly witnessed the presence of Croatian Army and special police units in several instances" of widespread violations of human rights. Human rights action teams established by UNCRO, conducting on-site investigations, found "evidence of extrajudicial executions, disappearances, ill treatment, harassment and the systematic and widespread destruction of houses and entire villages carried out by members of the Croatian Army and internal security forces in Krajina against the remaining civilian population, mostly elderly men and women".

The Croatian representative claims that lawlessness will be rectified once the "Croatian security forces, including special police forces, no longer need to be engaged in large-scale warfare but can concentrate on internal security". However, the report of the Secretary-General explicitly states that there is no reliable guarantees by the Croatian Government that returnees will enjoy safety and security.

Allegation is also advanced that the Serbian population decided to leave Krajina because they "were manipulated by those in Belgrade who orchestrated the policy of creating a 'Greater Serbia'". By such a statement, the Croatian representative actually sought to mask the true goal of the policy of his Government. The massive exodus of almost the entire Serb population from Krajina and western Slavonia, preceded by the previous exodus of over 300,000 Serb population from Croatia outside Krajina, as well as military intervention of the regular units of the Croatian army in Western Bosnia served the purpose of the current leadership of Croatia to create "Greater Croatia", i.e., an ethnically pure State without the Serbs. This is explicitly confirmed by Mr. Tudjman, who at a rally at Knin on 26 August 1995 said, inter alia, that from now on "Knin was Croatian and that it will never be as it was before". He also said that "up to now, Croatian people were not allowed to live alone on their own soil".

Horrendous atrocities committed by the Croatian authorities in western Slavonia, Krajina and Bosnia and Herzegovina, which have resulted in slaughter of thousands of Serbs, burning and looting of their property were condemned by the most prominent international factors.

A country that resorts to State terror against a people just for being of different national and religious background, contrary to international rights instruments, deserves strong international condemnation.

I should be grateful if you would have the present letter circulated as an official document of the General Assembly under agenda item 109.

(Signed) Vladislav JOVANOVIC
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